

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRELL SMITH,

Defendant.

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CASE NO. 4:11 CR 3131

**ORDER**

THIS MATTER comes before the Court on Mr. Smith's Unopposed Motion to Continue Trial, filing 21, from February 27, 2012, for no less than 60 days. The Court, being fully advised in the premises, and noting that the government has no objection to said continuance, finds that said Motion should be granted.

IT IS THEREFORE ORDERED that Mr. Smith's trial shall be continued until the 30th day of April, 2012, at 9:00 a.m. Mr. Smith is ordered to appear at said time. This Court further finds that, based upon the showing set forth in defendant's Motion, the ends of justice will be served by continuing defendant's trial. Further, the Court finds that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from February 27, 2012, until the date now set for defendant's trial shall be excludable time pursuant to 18 U.S.C. §3161(h)(7)(A).

DATED this 21st day of February, 2012.

BY THE COURT:

s/ Cheryl R Zwart  
The Honorable Cheryl R. Zwart  
United States Magistrate Judge